

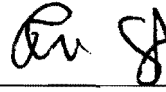
**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION**

DeWayne Alphonza El-Bey	)	Civil Action No. 2:16-3239-RMG
	)	
Plaintiff,	)	
	)	
v.	)	<b>ORDER</b>
	)	
William Culnon, <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	

This matter is before the Court on the Report and Recommendation of the Magistrate Judge, recommending this action be dismissed without prejudice under Rule 41 of the Federal Rules of Civil Procedure. Plaintiff DeWayne Alphonza El-Bey proceeds proceeding *pro se* and *in forma pauperis* in this civil action filed under 42 U.S.C. § 1983. This Court issued a second Proper Form Order on October 17, 2016, giving Plaintiff 21 days, plus 3 days for mail transit time, to bring this case into proper form. Plaintiff failed to bring this case into proper form, and on November 11, 2016, the Magistrate Judge issued a Report and Recommendation stating, “Plaintiff has failed to bring this case into proper form, and the time for doing so has expired.” (Dkt. No. 14.) Plaintiff filed no objections to the Report and Recommendation, but instead finally provided the service documents required to bring the case into proper form. (Dkt. No. 16.) As the Magistrate Judge stated, the time for bringing the case into proper form had expired. The opportunity to object to the Report and Recommendation was an opportunity for Plaintiff to show cause for his failure to comply with the Court’s two proper form orders. Plaintiff has not attempted to explain his failure to obey Court orders in this matter.

The Court therefore **ADOPTS** the Report and Recommendation (Dkt. No. 14) as the Order of the Court, and **DISMISSES WITHOUT PREJUDICE** the complaint.

**AND IT IS SO ORDERED.**

A handwritten signature in black ink, appearing to read 'R. M. Gergel', is written above a horizontal line.

Richard Mark Gergel  
United States District Court Judge

December 15, 2016  
Charleston, South Carolina